

## COMMITTEE REPORT

### MR. PRESIDENT:

The Senate Committee on Transportation and Homeland Security, to which was referred House Bill No. 1434, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 4, line 15, delete "tall." and insert "**tall; and**".
- 2 Page 4, line 26, delete "eight (8)" and insert "**twelve (12)**".
- 3 Page 4, line 38, delete "passenger".
- 4 Page 5, between lines 9 and 10, begin a new paragraph and insert:
- 5 "SECTION 12. IC 9-19-11-3.9 IS ADDED TO THE INDIANA
- 6 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 7 [EFFECTIVE JULY 1, 2003]: **Sec. 3.9. Notwithstanding sections 3,**
- 8 **3.1, 3.2, 3.3, and 3.7 of this chapter, a person may operate a motor**
- 9 **vehicle in which there is a child who weighs more than forty (40)**
- 10 **pounds and who is properly restrained and fastened by a lap safety**
- 11 **belt if:**
- 12 (1) the motor vehicle is not equipped with lap and shoulder
- 13 safety belts; or
- 14 (2) not including the operator's seat:
- 15 (A) the motor vehicle is equipped with one (1) or more lap
- 16 and shoulder safety belts; and
- 17 (B) all the lap and shoulder safety belts are being used to
- 18 properly restrain other children who are less than twelve
- 19 (12) years of age."
- 20 Page 7, between lines 1 and 2, begin a new paragraph and insert:
- 21 "SECTION 17. IC 9-19-11-11 IS ADDED TO THE INDIANA

- 1 CODE AS A NEW SECTION TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 2003]: **Sec. 11. A violation of this chapter**  
3 **may not be included in a determination of habitual violator status**  
4 **under IC 9-30-10-4."**  
5 Renumber all SECTIONS consecutively.  
(Reference is to HB 1434 as reprinted March 4, 2003.)

**and when so amended that said bill do pass.**

Committee Vote: Yeas 6, Nays 1.

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Wyss

Chairperson